

2818

PTO/SB/21 (08-00)

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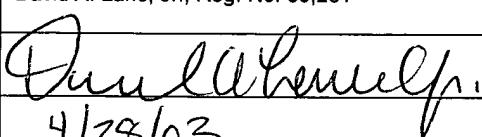
TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/079,985
		Filing Date	February 21, 2002
		First Named Inventor	Hirokazu Tamura
		Group Art Unit	2818
		Examiner Name	Mai Huong C. Tran
Total Number of Pages in This Submission		Attorney Docket Number	AMY-002.01 (21424-201)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Election/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <small>(for an Application)</small> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <small>(Appeal Notice, Brief, Reply Brief)</small> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <small>(please identify below):</small> - Return Postcard
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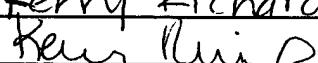
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David A. Lane, Jr., Reg. No. 39,261
Signature	
Date	4/28/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hirokazu Tamura et al.	Art Unit:	2818	#6 Election
Serial No: 10/079,985	Examiner:	Mai Huong C. Tran	J.M. BRUNSA
Filed: February 21, 2002	Attorney Docket No.:	AMY-002.01 (21424-201)	5/13/03
For: MEMS Devices and Methods of Manufacture			

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Date

Kerry Richard
Signature KERRY RICHARD

Commissioner for Patents
Washington, D.C. 20231

ELECTION

Sir:

In response to the Election/Restriction requirement set forth in the Office Action mailed April 11, 2003, Applicants elect with traverse Group I, claims 1-69. However, it is respectfully submitted that examination of all claims simultaneously would place no undue burden on the Examiner. The Applicants respectfully point out that the examination of the claims of Group II, ~~claims 30-38 and 41-50~~, necessarily entails a search of the subject matter of Group I, and therefore submits that the examination of Groups I and II together presents no significant burden over the examination of Group II alone.

For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden (M.P.E.P. § 803). Accordingly, Applicants respectfully request examination of all claims simultaneously.

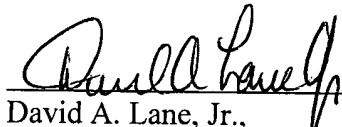
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Applicants consider the above election to be fully responsive to the Office Action. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (617) 832-1197. No fee is believed due. If a fee is occasioned or if extensions of time are necessary, the Commissioner is authorized to charge the balance to Deposit Account No. **06-1448**, Ref. AMY-201.

Respectfully submitted,

FOLEY HOAG, LLP

Date: April 28, 2003
Customer Number: 25181
Patent Group
Foley Hoag LLP
155 Seaport Boulevard
Boston, MA 02210
Tel.: (617) 832-1000
Fax: (617) 832-7000



David A. Lane, Jr.,
Registration No. 39,261
Attorney for Applicants